

REMARKS

Claims 1-3, 8-10, 18-20, and 27-30 are pending, and have all been allowed (Office Action of 15 July 2004).

Applicants thank the Examiner for withdrawal of the Examiner's rejection of claim 18, under 35 U.S.C. § 102(e), in view of Hudziak (U.S. Patent No. 6,399,063).

Applicants, in view of the Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequences Disclosures, acknowledge the necessity to amend the Brief Description of Figure 1 to include sequence identifiers of the presented sequence of Figure 1, and to correspondingly amend the CRF and paper copy of the SEQUENCE LISTING as requested by the Examiner, and have complied herein.

Applicants, acknowledge the Examiner's request for resubmission of applicants' prior Petition to Correct Inventorship (along with a new Declaration), but will not seek to amend the inventorship, which has been confirmed to be correct for the pending claims. Applicants thus regard this matter as mute.

No new matter has been added.

Sequence Listing

The Examiner has indicated that the Specification does not comply with sequence requirements in view of the lack of sequence identifiers in the Brief Description for Figure 1. The Examiner included, with the Office Action of 15 July 2004, a Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequences Disclosures.

Applicants have amended (*see* above-described Amendments to Specification) the Brief Description relating to Figure 1 to include sequence identifiers of the presented nucleic acid (SEQ ID NOS:10 and 11) and polypeptide (SEQ ID NO:12) sequences, and have enclosed CRF and paper copy of the amended SEQUENCE LISTING (attached hereto).

Specifically, the Brief Description relating to Figure 1 has been amended to recite: "SEQ ID NO:10" for the 287 nucleotide DNA sequence shown in the upper panel A of Figure 1; "SEQ ID NO:11 (276 bp) for the 275 nucleotide insert, plus the immediately 5' "G" nucleotide, sequence portion of SEQ ID NO:10; and "SEQ ID NO:12 for the novel in-frame 79 amino acid sequence referred to that is encoded within SEQ ID NO:10. Correspondingly, SEQ ID NOS: 10, 11 and 12 have been added to the SEQUENCE LISTING.

Support for this amendment is inherent to originally submitted sequence of Figure 1, and no new matter has been added.

Applicants contend that the Specification and SEQUENCE LISTING are now in compliance with the sequence rules, and respectfully request withdrawal of this objection.

Petition to Correct Inventorship

The Examiner has indicated that the previously submitted Petition to Correct Inventorship was not accepted for procedural reasons, and that if desired, it must be resubmitted, along with a new Declaration signed by all the joint inventors.

Applicants, elect not to Petition to Correct Inventorship, because applicants have confirmed that the present inventorship is, in fact, correct for the pending claims.

Applicants, therefore, respectfully request withdrawal of this objection.

CONCLUSION

In view of the foregoing amendments and remarks, applicants respectfully request a Notice of Allowance relating to all pending claims, all having been previously allowed.

The Examiner is encouraged to phone applicants' attorney, Barry L. Davison, to resolve any outstanding issues and expedite issuance of the Notice of Allowance.

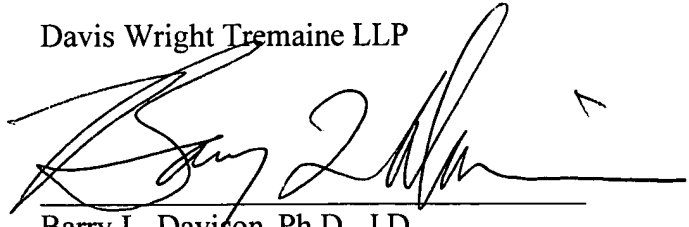
No new matter has been added. Entry of the Amendment is respectfully requested.

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Respectfully submitted,

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